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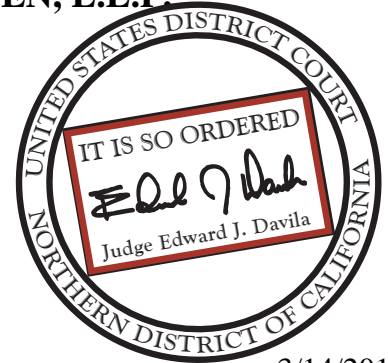
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SHIVELY, individually and on behalf of  
others similarly situated



9 **UNITED STATES DISTRICT COURT**

3/14/2012

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

12 RODNEY SHIVELY, individually and  
on behalf of others similarly situated, ,

13 Plaintiff,

14 vs.

15 CARRIER IQ, INC., a Corporation  
16 headquartered in California, and  
GOOGLE, INC., a Corporation  
17 headquartered in California, and DOES  
1-50, inclusive,

18 Defendants.

CASE NO. 5:12-cv-00290 EJD

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO RULE  
41(a) F.R.Civ.P.**

WASSERMAN, COMDEN, CASSELMAN & ESENSTEN, L.L.P.  
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1 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:  
2 PLEASE TAKE NOTICE: Only Defendant GOOGLE, INC. is dismissed  
3 without prejudice from the Complaint brought by Plaintiff RODNEY SHIVELY.  
4 This dismissal is made pursuant to Rule 41(a) of the Federal Rules of Civil  
5 Procedure. Pursuant to stipulation of the parties, this dismissal is made without  
6 prejudice to Plaintiff Shively's right to seek remand.  
7

8 DATED: February 13, 2012

**WASSERMAN, COMDEN,  
CASSELMAN & ESENSTEN, L.L.P.**  
MELISSA MEEKER HARNETT  
JESSE B. LEVIN

By: /s/ Melissa Meeker Harnett  
MELISSA MEEKER HARNETT  
Attorneys for Plaintiff RODNEY SHIVELY,  
individually and on behalf of others similarly  
situated

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